

**AN ORDINANCE**

**BY TRANSPORTATION COMMITTEE**

**03-0 -1683**

**AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AMENDMENT TO CONTRACT FC-5548-93 FOR ENGINEERING AND ADVISORY SERVICES WITH AVIATION CONSULTING ENGINEERS (ACE), A JOINT VENTURE OF WILLIAMS-RUSSELL & JOHNSON, INC., BECHTEL INFRASTRUCTURE CORPORATION AND DELON HAMPTON & ASSOCIATES, CHARTERED, ON BEHALF OF THE DEPARTMENT OF AVIATION, EFFECTUATING THE WITHDRAWAL FROM THE JOINT VENTURE BY BECHTEL, AND SUBJECT TO THE CONTRACT TERMS AND CONDITIONS.**

**WHEREAS**, the City of Atlanta has heretofore entered into Contract FC 5548-93 (the "Contract") with Aviation Consulting Engineers (ACE), dated November 21, 1994, for Engineering Services to the Department of Aviation at Hartsfield Atlanta International Airport, as extended for five years until November 20, 2005, pursuant to City Council Resolution No. 99-R-1787, adopted November 1, 1999, and approved by the Mayor November 9, 1999, and Resolution No. 00-R-1480, adopted October 2, 2000, and approved by the Mayor October 10, 2000; and

**WHEREAS**, ACE is a joint venture consisting of three entities, Williams-Russell & Johnson, Inc. ("WR&J"), Bechtel Infrastructure Corporation ("Bechtel"), and Delon Hampton & Associates, Chartered ("Delon"); and

**WHEREAS**, Bechtel has communicated its desire to withdraw from ACE prior to completion of the Contract term, and WR&J and Delon have communicated their desire and intention to remain joint venturers in ACE and to continue to provide services under the Contract; and

**WHEREAS**, the City has determined that the continuity of the Contract comprised of the two remaining joint venturers, WR&J and Delon, is in its best interests, as the owner and operator of Hartsfield Atlanta International Airport.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor or her designee is hereby authorized to execute an Amendment to the Contract: [i] acknowledging and effectuating the withdrawal of Bechtel from ACE and the reconstitution of ACE with WR&J and Delon as the remaining joint venturers; and [ii] modifying any other terms of the Contract necessary to fully effectuate the intent of this Ordinance.

**BE IT FURTHER RESOLVED**, that the Mayor or her designee is hereby authorized to execute any additional documents or instruments with ACE or any individual joint venturer in ACE to effectuate the intent of this Resolution and the transaction it contemplates.

**BE IT FURTHER RESOLVED**, that to the extent the transaction contemplated by this Ordinance conflicts with any other Ordinance, the terms of that Ordinance are waived for the purposes of this transaction only.